

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. C 09-00936 CRB

Plaintiff,

**ORDER RESCINDING PREVIOUS  
ORDER DELAYING RETURN TO  
STATE CUSTODY**

v.


DAVID MORGAN,

Defendant.

The United States Marshals Service has notified the Court that a liver biopsy is not likely to occur within thirty days and that a return to state custody would likely shorten the time it takes for David Morgan to receive the treatment he needs. At a status hearing held today, the Court informed the parties of the Marshals' recommendation that Morgan be returned to state custody forthwith, and neither defense counsel nor the government had any objection. The Court accordingly RESCINDS its February 28, 2013 order (dkt. 75) delaying Morgan's return to state custody.

**IT IS SO ORDERED.**

Dated: March 13, 2013

  
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CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE